

Mrs J Wallace
Head of Paid Service
Torrige District Council
Riverbank House
Bideford
Devon
EX39 2QG



DX 53606 BIDEFORD
Tel : Bideford (01237) 428700

Date: 13 November 2018

MEETING OF STANDARDS COMMITTEE

On: Wednesday 21 November 2018 **At:** 2.30 pm

Venue: Town Hall - Bridge Street, Bideford, EX39
2HS

NOTICE OF MEETING

To: Councillor M Langmead (Chair)
Councillor T Inch (Vice-Chair)
Councillors: M Brown, G Dezart, J Whittaker, R Julian and P Hackett

Town & Parish Representatives: Richard Clark and Harold Martin

Independent Persons: M Rawle

Members are requested to turn off their mobile phones for the duration of the meeting

AGENDA

PART I - (OPEN SESSION)

1.	Apologies for Absence
2.	Minutes of the Standards Committee meeting held on 20 June 2018 (Pages 3 - 7)
3.	Declarations of Interest Members with interests to declare should refer to the agenda item and describe the nature of their interest when the item is being considered.
4.	Agreement of Agenda between Parts I and II (if applicable)
5.	Urgent Matters of Information to be brought forward with the permission of the Chair and the Committee

6.	Forward Plan (Page 8)
7.	Consultation on Updating the Disqualification Criteria for Councillors and Mayors (Pages 9 - 29) To receive a verbal review
8.	Training Update To receive a Training update
9.	Exclusion of Members of the Public The Chair to move : That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in)Part 1 of Schedule 12A of the Local Government Act.
10.	Part II (Closed Session)
11.	Complaints Update
12.	COMMITTEE ORGANISER: Democratic Services Tel: 01237 428703 Email: Dem.services@torridge.gov.uk
	Meeting Organiser: Democratic Services

TORRIDGE DISTRICT COUNCIL

STANDARDS COMMITTEE MEETING

Town Hall - Bridge Street, Bideford, EX39 2HS

Wednesday, 20 June 2018 - 10.00 am

PRESENT	Councillor M Langmead (Chair) Councillors T Inch, G Dezart, R Julian and T Johns (substitute for Councillor Cottle Hunkin)	
ALSO PRESENT	J Hollis	- Senior Solicitor
	R Clark	- Parish Representative
	H Martin	- Parish Representative
	R Levick	- Independent Person
	Councillor Sanders	
	S Cawsey	- Democratic Services Officer

The Chair welcomed everyone to the meeting.

1. MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 21
FEBRUARY 2018

It was proposed by Councillor Julian, seconded by Councillor Dezart and –

Resolved:

That the Minutes of the meeting held on 21 February 2018 be agreed and signed as a correct record, subject to the following amendments:

- Apologies from Mr H Martin and Mr R Levick had been given, but had not been recorded in the minutes.
- Minutes No 34 – Town & Parish Council Liaison -
To amend Mr Clark's surname which had been spelt incorrectly.

(Vote: For 4, Abstentions 1)

2. DECLARATIONS OF INTEREST

The Chair asked that declarations of interest be made as and when the specific agenda item to which they related was under discussion.

3. AGREEMENT OF AGENDA BETWEEN PARTS I AND II (IF APPLICABLE)

Mr R Clark sought clarification as to whether the Part II item would be a Hearing. If so he felt it should stay in Part II, but if not he questioned whether it should be presented in Part I.

The Senior Solicitor confirmed it is a Hearing, and due to the personal information contained in the documents was therefore a Part II item, although this would be a decision to be made by the Committee.

It was proposed by Councillor A Inch, seconded by Councillor Johns and -

Resolved: That the agenda, as circulated, be agreed.

(Vote: For - Unanimous)

4. URGENT MATTERS OF INFORMATION TO BE BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR AND THE COMMITTEE

There were no urgent matters brought forward.

Town and Parish Council Liaison -

Councillor A Inch referred to the minutes of the previous meeting and asked if the Senior Solicitor had made contact with Town & Parish Councils. The Senior Solicitor advised he had been in contact with Parish and Town Clerks and was maintaining a list of planned visits.

5. FORWARD PLAN 2018/19

Members discussed the following items to be included on the Forward Plan:

Review of the Local Government Ethical Standards Stakeholder Consultation – To report on the outcome of the Consultation – most likely November meeting

Training – Members felt it would be beneficial for regular training updates to be given, and to also ensure that all Members who sit on Standards Committee had undertaken the relevant training.

6. TOWN AND PARISH LIAISON (STANDING ITEM)

The Senior Solicitor introduced this item and agreed to circulate to the Committee a copy of the current visit schedule to Town/Parish Councils.

The visits are intended to help Parish Councils recognise and understand the roles and responsibilities carried out by the Standards Committee. These include:

- Code of Conduct
- Declarations of Interests
- Standards Committee membership, functions and powers

Mr Roger Levick gave feed back on the meetings and discussions he had had with Parish Councils.

The Senior Solicitor advised that some Parish Councils had requested visits for new Councillors following the election next year.

Members talked about individual experiences with Parish Councils, and acknowledged the need for training and assistance to be given.

7. EXCLUSION OF MEMBERS OF THE PUBLIC

LOCAL GOVERNMENT ACT 1972 (as amended)

It was proposed by Councillor A Inch, seconded by Councillor Julian –

That under Section 100(a)(4) of the Local Government Act (as amended) the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information by virtue of Paragraph 1 of Part 1 and Paragraph 10 of Part 2 of Schedule 12A of the Local Government Act 1972.

(Vote: For – Unanimous)

The Chair, Councillor Langmead, reminded the meeting that Part II information is confidential and must not be disclosed to a third party.

8. PART II (CLOSED SESSION)

9. DETERMINATION OF COMPLAINT - MEMBERS CODE OF CONDUCT

The Senior Solicitor introduced the report and outlined the process.

Complaint

On 20 June 2018, the Standards Committee of this authority considered a complaint in relation to the conduct of Councillor John Sanders, a member of Holsworthy Town Council.

The complaint relates to an allegation that Councillor Sanders was rude and aggressive to members of the public in a shop in Holsworthy, in breach of the Members Code of Conduct. The allegation potentially constitutes a breach of Paragraph 1 (treating others with respect), 2 (bullying and intimidation) & 4 (bringing the office of member or the Council into disrepute) of the Code of Conduct for Members.

Decision

Having considered the evidence before it, as well as the written and verbal representations of Councillor Sanders, the Standards Committee unanimously agreed the following:

1. Made the following findings of fact:
 - That it was immaterial to the complaint whether Councillor Sanders was taking pictures during the incident or scanning items with his mobile phone;
 - That Councillor Sanders at least raised his voice during the incident, if he wasn't shouting;
 - That Councillor Sanders was known as a Councillor during the incident and did nothing to dispel that impression, and also that it was likely that Councillor Sanders did make reference to his role as Councillor during the incident;
 - That correspondence pertaining to a previous incident at the shop was relevant as it highlighted Councillor Sanders' propensity to refer to himself as Councillor and also demonstrated a pattern of behaviour;
 - That the complainants account of events and the effect the incident had on her was believable in the circumstances, in particular that she felt embarrassed and humiliated.

2. Found that Councillor Sanders had breached the following provisions of the Holsworthy Town Council Code of Conduct for Members:
 - Paragraph 1: You must treat others with respect, including members of the public, officers of the Council and any other person with whom you come into contact.
 - Paragraph 2: You must not bully or intimidate or attempt to bully or intimidate any person.
 - Paragraph 4: You must not do anything or act in any way which could reasonably be regarded as bringing either your office of Member or the Council into disrepute.

Sanctions

In light of the above findings, the Standards Committee resolved to impose the following sanctions:

- That Councillor Sanders issue the complainant with a letter of apology within 14 days;

- That Councillor Sanders should undergo appropriate training in relation to the Code of Conduct; and
- That the outcome of this matter is to be reported to Holsworthy Town Council full Council.

10. COMPLAINTS UPDATE

The Senior Solicitor gave a verbal update and advised that there are three outstanding complaints. Brief details on each complaint was given.

The Complaint Update was noted.

It was proposed by Councillor Julian, seconded by Councillor A Inch and –

Resolved:

That the meeting return to Part I and that any press and public be readmitted.

(Vote: For – Unanimously)

The meeting commenced at 10.00 am and closed at 11.50am

Chair:

Date:

STANDARDS COMMITTEE – FORWARD PLAN 2018/19

2017/18	Cycle 1	Cycle 2	Cycle 3	Cycle 4	Cycle 5	Cycle 6	Cycle 7	Cycle 8
	20 June 2018		8 August 2018		21 November 2018		27 February 2019	
	2pm		2pm		2pm	2pm	2pm	
	Exempt Confidential Information Training Updates		Dress rehearsal of a hearing procedure Training Updates Report on the Loc Gov. Ethical Standards Stakeholders Consultation					

Standing item	Complaint update		Complaint update		Complaint update		Complaint update	
Standing Item								



Ministry of Housing,
Communities &
Local Government

Consultation on Updating the Disqualification Criteria for Councillors and Mayors

A summary of consultation responses and the Government
response



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Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF
Telephone: 030 3444 0000

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Ministerial Foreword

The Government consulted on proposals to update the disqualification criteria for councillors and Mayors to bring it into line with both modern sentencing practice and the values and high standards of behaviours the electorate have a right to expect of the elected members that represent them.

The Government considers there should be consequences where councillors, mayors and London Assembly members fall short of the behaviour expected in an inclusive and tolerant society. Where behaviour has led to a conviction or enforcement action resulting in an individual being subject to one or more of the following: the notification requirements in the Sexual Offences Act 2003; a Sexual Risk Order; a Civil Injunction; a Criminal Behaviour Order we will seek to legislate to ensure that they are disqualified from standing for office as local authority members or Mayors.

As a result, councils across England will have the power to prevent individuals from standing as a councillor or Mayor at the point they trigger the revised disqualification criteria. These proposals will not apply retrospectively.

I am grateful to all those individuals, councils and organisations who took the time to respond to this consultation.

Elected members play a crucial role in town halls across the country, and are the foundations of local democracy. They are community champions, and have a leading role to play in building a better society for everyone.

Rishi Sunak
Minister for Local Government

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Introduction

Local authority members and directly elected Mayors are the heartbeat of local democracy in communities across England. They are entrusted by the electorate to make important decisions for the communities they represent, and on behalf of vulnerable groups, including children and young people. They also have a broad role representing their communities, engaging with local MPs and ensuring the views of their constituents are heard.

The Government believes the proposed revised criteria better reflects 21st century sentencing practices. It will encourage continued public confidence in elected members, and signals the importance we attach to the conduct of elected members.

This consultation proposed updating the disqualification criteria in section 80 of the Local Government Act 1972, paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, and section 21 of the Greater London Authority Act 1999 to prohibit those subject to the notification requirements (commonly referred to as 'being on the sex offenders register') and those subject to certain anti-social behaviour sanctions from being local authority members, London Assembly members or directly-elected mayors.

This consultation did not propose changing the disqualification criteria for Police and Crime Commissioners (PCCs). For the purposes of the consultation, 'local authority member' also extended to directly-elected mayors and co-opted members of authorities, and 'local authority' means:

- a county council
- a district council
- a London Borough council
- a parish council

The disqualification criteria in section 80 of the Local Government Act 1972, paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, and section 21 of the Greater London Authority Act 1999 do not cover the Council of the Isles of Scilly or the Common Council of the City of London. Therefore, the consultation did not extend to these councils.

Overview

The consultation on changes to the current disqualification criteria (summary details at Appendix 1) was published on 18 September 2017 and closed on 8 December 2017. Respondents were invited to reply by email or to post written responses to the Department for Communities and Local Government.

The consultation sought views on whether individuals should, or should not be, prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor if they are subject to:

- the notification requirements set out in the Sexual Offences Act 2003 (commonly referred to as 'being on the sex offenders register');
- a Sexual Risk Order;
- a civil injunction granted under section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014; or
- a Criminal Behaviour Order made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014

This consultation was open to everyone. We particularly sought the views of individual members of the public, prospective and current councillors and those bodies that represent the interest of local authorities and councillors at all levels.

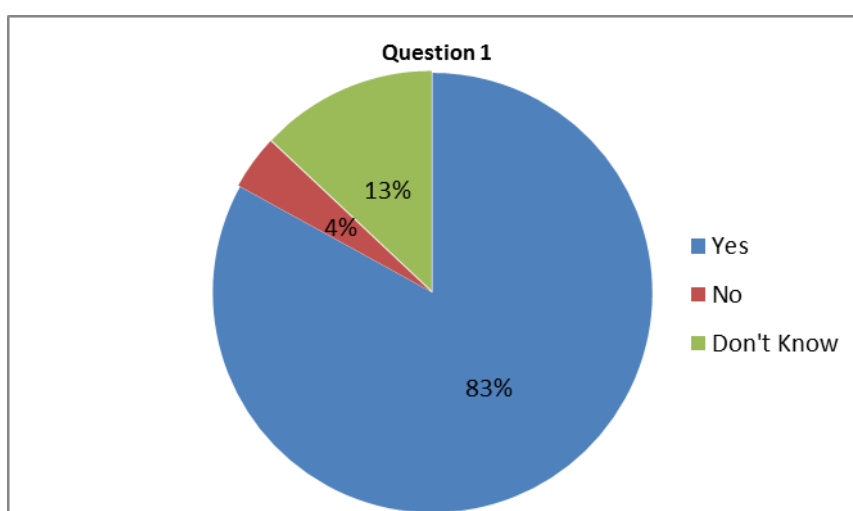
The consultation generated 178 responses, including from parish councils, district councils, London Councils, town councils, borough councils, county councils, membership organisations and individuals.

Consultation responses

Sexual offences

The two questions posed were as follows:-

Q1: Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. who is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?



There was strong majority of respondents (83%) in agreement, 4% against and 13% who didn't know. There were few additional comments on this question – those received were in the following vein:-

"The Committee unanimously agreed that those on the Sex Offenders Register should be prohibited from standing for election". (response no 088)

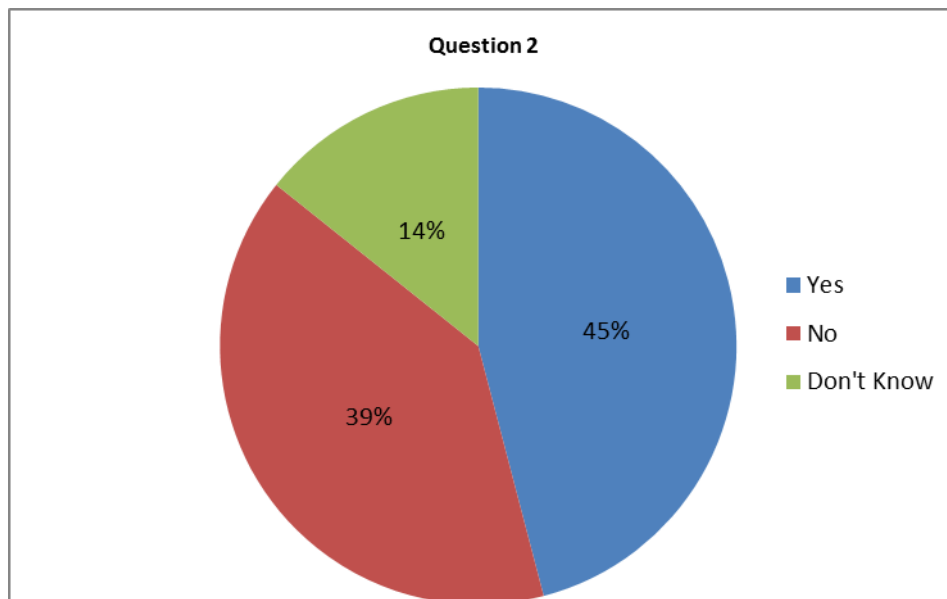
"The overriding concern of this council in considering these proposals was the protection of children and vulnerable adults." (response no 153)

Government response

Having considered the responses received, the Government believes that where an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 they should be barred from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor.

Their disqualification period would end once they were no longer subject to these notification requirements.

Q2: Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?



With 45% of respondents answered yes (individuals should not be prohibited from standing) 39% answering no (i.e. they should be prohibited from standing) and 14% answering don't know, there is a less clear outcome from the consultation in respect of this question.

A Sexual Risk Order is not necessarily the result of a conviction, but individuals are subject to this Order because they are deemed by a court to pose a risk of harm to the public in the UK and/or children or vulnerable adults abroad.

Below is a selection of consultation responses received on this subject:-

“those individuals subject to a Sexual Risk Order should also be prohibited from standing as they are still considered to pose a potential risk to the public, and may also become more exposed to situations to abuse their position of trust and take advantage” (response 009);

“a Sexual Risk Order is given to those who pose a risk of harm to the public and/or children or vulnerable adults. Elected councillors have access to sensitive and personal information” (Response 147).

“an individual who is subject to a Sexual Risk Order poses a safeguarding risk” (Response 163).

“Members were uncomfortable with someone who is the subject of such an Order holding office, particularly as this would seem to conflict with the corporate parenting responsibility that is part of every elected Member’s role. Members felt that residents would not want such individuals representing them.

It was acknowledged, however, that such individuals will not have been found guilty in a court of law and it could be potentially harmful to the democratic process to disqualify people from standing for election, or holding office, who had not committed any crime” (Response 85) .

In response to the balance of consultation responses the Government believes that individuals who are subject to a Sexual Risk Order have not modelled the behaviour and values that befit the expectations of those whom we elect into public office, and they will not command the respect and confidence of their electorate.

Government response

Having considered the responses received, the Government believes that where an individual is subject to a Sexual Risk Order, they should be prohibited from standing for election, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor.

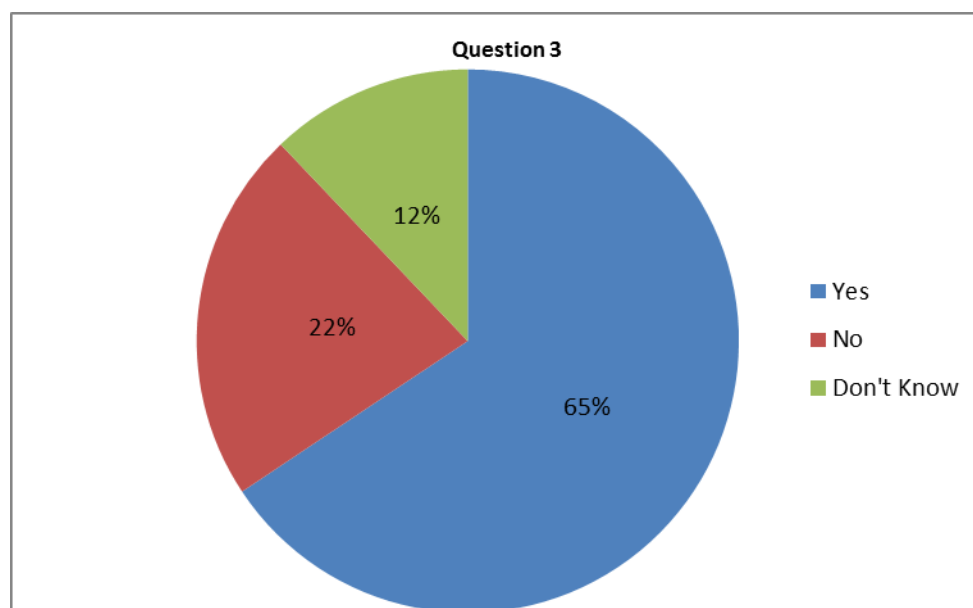
Their disqualification period would end once they were no longer subject to these notification requirements.

Anti-social behaviour

Questions 3 and 4 related to anti-social behaviour.

Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

The two anti-social behaviour orders in question i.e. a Civil Injunction or a Criminal Behaviour Order are the only ones that relate to an individual (rather than, for example, restriction in respect of a location or premises) and crucially are issued by the court, rather than the Police or a local authority.



There were 65% of respondents who agreed with this proposal, 22% against and 12% didn't know. Below is a flavour of the responses received:-

" We agree on the basis that the period of time for which they would be barred would end once they are no longer subject to the injunction or order." (response no125)

"...individuals who have been issued with a Civil Injunction or Criminal Behaviour Order should be prohibited from standing for election, or holding office" (response 009)

“...it would not be considered acceptable for people to stand for or hold office where they have been issued with certain Civil Injunctions and Criminal Behaviour Orders” (response 013)

Whilst the majority of respondents were clearly in favour, there were concerns flagged up by some that individuals who had participated in peaceful protest and issued with a Civil Injunction would then be disqualified from local elections. The comment extracted below is representative of those views:-

“We believe that there is a clear risk that individuals who have been involved in persistent but non-violent protest could be subject to these measures, thereby preventing them from seeking or holding elected office despite the fact they may have been protesting a cause that has significant local support.....”

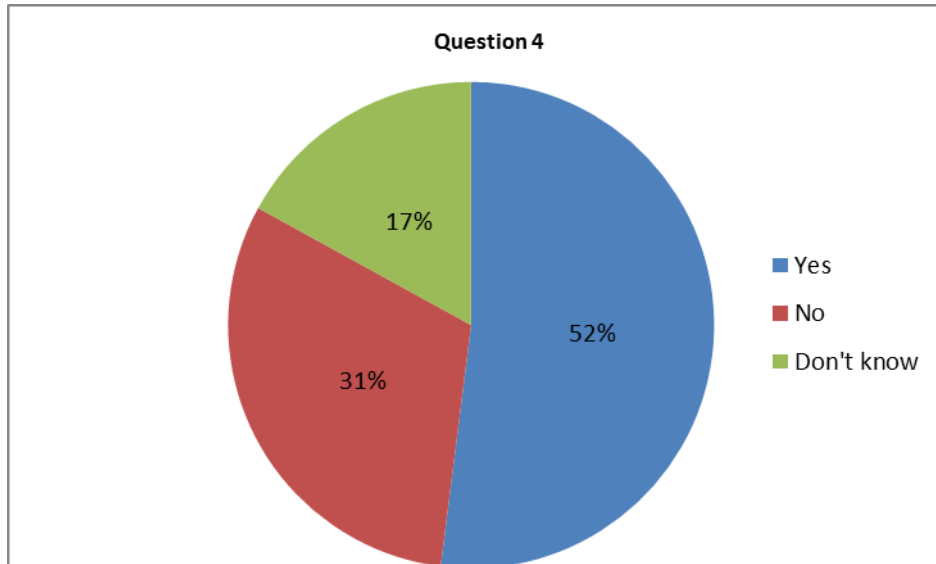
It is possible that there are some specific categories of anti-social behaviour – such as hate crime – for which there may be justification for excluding individuals found guilty of them from the democratic process.....”
(response 103)

The Government supports the rights of a local councillor to participate in a peaceful protest where they are directly representing the views of their electorate. However as a Civil Injunction is only issued by the courts in response to anti-social behaviour, defined in the legislation as behaviour which causes harassment, alarm or distress, and such behaviour would have no place in a peaceful protest we believe this is a moot point.

Government response

The Government considers that an individual who is subject to an anti-social behaviour sanction issued by the court, i.e. a Civil Injunction, (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be barred from standing for election, as a local authority member, directly-elected mayor or member of the London Assembly. Their disqualification period would end once they were no longer subject to the injunction or Order.

Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?



There were 52% of respondents who agreed with this proposal. The comments extracted below are representative of respondent's views:-

"...we understand the reasoning behind the proposals, and believe that those appointed to public office should not have current "control" orders/injunctions in place, in respect of their behaviour, at the time they are seeking election. Our Members seek reassurance however, that orders which are no longer current (like spent convictions), will not prevent a person seeking office during a subsequent period of time.... (response no 127)

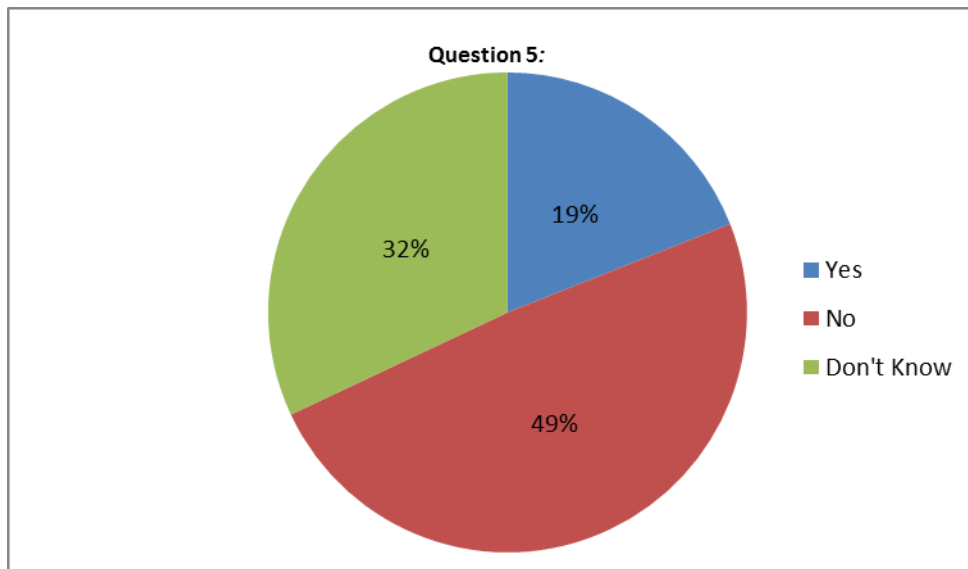
"..The public quite rightly expect individuals within public service, whether elected representatives or officers, to demonstrate high standards of conduct. Individual failings can weaken confidence across the sector. Where an individual is named within a Notice or Order then they should also be prohibited from standing for election or holding office" (response no 160)

Government response

The Government considers that an individual who is subject to an anti-social behaviour sanction issued by the court, i.e. a Civil Injunction, (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be barred from standing for election, as a local authority member, directly-elected mayor or member of the London Assembly. Their disqualification period would end once they were no longer subject to the injunction or Order.

Public Sector Equality Duties under the Equality Act 2010

Q5. Do you consider that the proposals set out in this consultation paper will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010?



Some 49% considered that the proposals set out in this consultation paper would not have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010.

There were very few comments received in respect of this question, an example being:-

“The Public Sector Equality Duties require local authorities to eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010 and to advance equality of opportunity and foster good relations between those with and those without protected characteristics. As with existing Disqualification Criteria the proposals are universally applicable and therefore do not affect the ability of local authorities to discharge their equality duties.” (response no 058)

Some respondents expressed concern that the proposals would affect the equality duties and were discriminatory in that they singled out individuals for adverse treatment which does not affect other groups and for reasons which do not relate to their conduct as councillors.

The Government’s Equality Impact Assessment on the proposed changes to the Disqualification Criteria for Councillors and Mayors notes that as more men rather than women are subject to Sexual Risk Orders and the notification requirements set out in the Sexual Offences Act 2003 there is a potential indirect impact on men in relation to these proposed policy changes. The assessment concludes that were

such an impact to be found to exist, there would be countervailing public interest considerations for Councillors and Mayors to be demonstrably of good character, capable of being trusted by the electorate to make important decisions for the communities they represent, and on behalf of vulnerable groups including children and young people. In application of this policy will apply to people who share protected characteristics and people who don't.

Government response

The Government has considered the views expressed in this consultation and does not consider that the proposals will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010.

Other views

Q6. Do you have any further views about the proposals set out in this consultation paper?

This question provided an opportunity for respondents to provide any additional views on the proposals.

The most frequently occurring views given in response to this question are either covered elsewhere in this document, e.g. the right to peaceful protest (see page 10), or relate to issues that were out of scope of the consultation.

Next steps

Any changes to disqualification criteria for a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor will require changes to primary legislation, in particular the Local Government Act 1972, the Local Democracy, Economic Development and Construction Act 2009, and the Greater London Authority Act 2009.

Government will look to identify a suitable legislative opportunity when parliamentary time allows.

List of respondents

180 respondents as of 14 December 2017

31 Individuals (names withheld)

15 Organisations / Bodies

Association of Green Councillors
Bedfordshire Association of Town & Parish Councils
Cornwall Association of Local Councils
Kent Association of Local Councils
Lawyers in Local Government
Local Government Association
Middlesbrough Labour Group
Muslim Women's Network UK
National Association of Local Councils
Northumberland Association of Local Councils
Public Law Partnership
Society of Council Clerks (Cornwall)
Society of Local Council Clerks
Suffolk Association of Local Councils
Unlock

37 Parish Councils

Anstey Parish Council
Barrow Gurney Parish Council
Borough Green Parish Council
Brockley Parish Council
Burham Parish Council
Butterow, in parish of Rodborough
Cam Bria Parish Council
Chelveston-cum-Caldecott Parish Council
Cubbington Parish Council
Comberton Parish Council
Cringelford Parish Council
Crockenhill Parish Council
Eastington Parish Council
Effingham Parish Council
Horsmonden Parish Council
Hythe and Dibden Parish Council
Kettleburgh Parish Council
Kingswood Parish Council
Kea Parish Council

Laken Heath Parish Council
Little Gaddesden Parish Council
Little Paxton Parish Council
Luxulyan Parish Council
Nempnett Thrubwell Parish Council
Reymerston & Thuxton Parish Council
Rodborough Parish Council
Snettisham Parish Council
South Wooten Parish Council
St Just in Roseland Parish Council
St Agnes Parish Council
Trowell Parish Council
Walmer Parish Council
Warboys Parish Council
Westerleigh Parish Council
Wiggenhall St Mary Magdalen Parish Council
Westerleigh Parish Council
Yaxham Parish Council

22 District Council

Breckland District Council
East Hertfordshire District Council
East Lindsey District Council
Mansfield District Council
Mendip District Council
Mid Devon District Council
Newark & Sherwood District Council
North Hertfordshire District Council
Selby District Council
South Holland District Council
South Lakeland District Council
Staffordshire Moorlands District Council
Tandridge District Council
Teignbridge District Council
Tendring District Council
Thanet District Council
Torridge District Council
Uttlesford District Council
Warwick District Council
Wealsden District Council
West Lindsey District Council
Wyre Forest District Council

14 Town Councils

Beccles Town Council
Bodmin Town Council
Camborne Town Council
Corsham Town Council

Hednesford Town Council
Littlehampton Town Council
Newark Town Council
New Romney Town Council
Ollerton & Boughton Town Council
St Blaise Town Council
Stowmarket Town Council
Trowbridge Town Council
Winchcombe Town Council
Yate Town Council

8 City Councils

Brighton & Hove City Council
Chelmsford City Council
City of York Council
Exeter City Council
Leeds City Council
Manchester City Council
Newcastle City Council
Sheffield City Council

21 Borough Councils

Blackburn with Darwen Borough Council
Bournemouth Borough Council
Cheltenham Borough Council
Chesterfield Borough Council
Corby Borough Council
Doncaster Borough Council
Fylde Borough Council
Hartlepool Borough Council
High Peak Borough Council
Kettering Borough Council
Middlesbrough Council
Nuneaton and Bedworth Borough Council
Redar and Cleveland Borough Council
Ruscliffe Borough Council
South Ribble Borough Council
Surrey Heath Borough Council
Swindon Borough Council
Watford Borough Council
West Lancashire Borough Council
Wirral Borough Council
Wyre Borough Council

15 County Councils

Devon County Council
Durham County Council

East Sussex County Council
Gloucestershire County Council
Hertfordshire County Council
Lancashire County Council
Leicestershire County Council
Nottingham County Council
Norfolk County Council
Somerset County Council
Staffordshire County Council
Suffolk County Council
Warwickshire County Council
West Sussex County Council
Worcestershire County Council

5 London Councils

Brent Council London Borough Council
Camden London Borough Council
Ealing London Borough Council
Lewisham London Borough Council
Sutton Council

8 Metropolitan Borough Council

Barnsley Metropolitan Council
Gateshead Metropolitan Borough Council
Kirklees Metropolitan Borough Council
Oldham Metropolitan Borough Council
Sandwell Metropolitan Borough Council
Trafford Metropolitan Borough Council
Wigan Metropolitan Council
Wakefield Metropolitan District Council

2 Unitary Authorities

North Lincolnshire Council
Telford and Wrekin Council

1 Fire Authority

Cleveland Fire Authority

1 National Park Authority

Peak District National Park Authority

Appendix 1: summary of current disqualification criteria

Under section 80 of the Local Government Act 1972, a person is disqualified from standing as a candidate or being a member of a local authority if they:

- are employed by the local authority;
- are subject to bankruptcy orders;
- have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine;
- are disqualified under Part II of the Representation of the People Act 1983;
- are employed under the direction of various local authority committees, boards or the Greater London Authority; or
- are a teacher in a school maintained by the local authority

Paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 sets out the criteria on disqualification from standing as, or being, a directly-elected mayor of a combined authority. A person is disqualified from being elected or holding office as the mayor of a combined authority if they:

- hold any paid office or employment (other than the office of mayor or deputy mayor), including any appointments or elections made by or on behalf of the combined authority or any of the constituent councils of the combined authority;
- are subject to bankruptcy orders;
- have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine; or
- are disqualified for being elected or for being a member of a constituent council under Part 3 of the Representation of the People Act 1983.

Section 21 of the Greater London Authority Act 1999 disqualifies someone from being the Mayor or an Assembly member if they:

- are a member of staff of the Authority;
- hold an office that disqualifies the holder from being Mayor or an Assembly member;
- are subject to bankruptcy orders are bankrupt or have made a composition agreement with creditors;
- have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine;

- are disqualified under section 85A or Part III of the Representation of the People Act 1983 from being the Mayor or an Assembly member; or
- are a paid officer of a London borough council who is employed under the direction of:
 - a council committee or sub-committee whose membership includes the Mayor or someone appointed on the nomination of the Authority;
 - a joint committee whose membership includes a member appointed on the nomination of the council and a member appointed on the nomination of the Authority;
 - the council executive, or one of its committees, whose membership includes the Mayor or someone appointed on the nomination of the Authority;
 - a member of the council's executive who is the Mayor or someone appointed on the nomination of the Authority.